

## REMARKS

Claims 1-5 are pending in this application. All of the claims were rejected. Claims 1-5 are currently amended.

The presently claimed invention distinguishes the combination of English and Slovin because the wireless device adjusts transmission power if the alternative access point accepts the request to associate with the alternative access point. As described in the specification, a STA records indication of received power and transmission power attenuation (TP Backoff) obtained from APs.<sup>1</sup> When a STA becomes associated with an AP, the STA notes the TP Backoff value of that AP and adopts that value as the STA's own TP Backoff.<sup>2</sup> English and Slovin were not asserted by the Office as teaching this feature, and Applicant is unable to find any such teaching in the cited combination. Claim 1 therefore distinguishes the combination by reciting "logic operative to adjust transmission power if the alternative access point indicates that the wireless device can become associated with the alternative access point." Claims 2-5 are dependent claims which further distinguish the invention, and which are allowable for the same reasons as claim 1. Withdrawal of the rejections of claims 1-5 is therefore requested.

The Office objected to claims 1 and 3-5 for various informalities. Applicant has amended the claims accordingly. Withdrawal of the objection is therefore requested.

The Office asserted a double patenting rejection based on six copending applications. Applicant suggests that the new limitation added by this amendment not only distinguishes the combination of English and Slovin, but also distinguishes those copending applications in a

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<sup>1</sup> Page 49

<sup>2</sup> Page 50, section 4.b

manner which obviates the double patenting rejection. Withdrawal of the rejection is therefore requested.

For the reasons stated above, this application is now considered to be in condition for allowance and such action is earnestly solicited. Should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Applicants' Attorney at the number listed below so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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Date

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